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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 2-WAY COMPUTING, INC.,
8 Plaintiff,

9 vs.

10 CISCO SYSTEMS, INC.,
11 Defendant.
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Case No. 2:15-cv-02235-GMN-CWH

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15 **ORDER SCHEDULING**
16 **PRE-CLAIM CONSTRUCTION**
17 **SETTLEMENT CONFERENCE**

18 IT IS ORDERED that a pre-claim construction settlement conference is scheduled for
19 **Thursday, August 11, 2016.** The parties must report to the *chambers* of the undersigned
20 Magistrate Judge, Room 3014, Lloyd D. George United States Courthouse, 333 Las Vegas
21 Boulevard South, Las Vegas, Nevada at **9:00 a.m.**

22 Unless ordered otherwise, the following individual(s) are **required to be present in person**
23 **for the duration of the settlement conference:**

- 24 1. An attorney of record who will be participating in the trial and who have full
25 authority to settle this case;
- 26 2. All parties appearing pro se;
- 27 3. All individual parties;
- 28 4. In the case of non-individual parties, an officer or representative with binding
authority to settle this matter up to the full amount of the claim or last demand made;
and
5. If any party is subject to coverage by an insurance carrier, then a representative of the
insurance carrier with authority to settle this matter up to the full amount of the claim
or last demand.

1 A request for an exception to the above personal attendance requirements must be filed and
2 served on all parties at least 14 days before the settlement conference.

3 **PREPARATION FOR SETTLEMENT CONFERENCE**

4 In preparation for the settlement conference, each party must submit a confidential settlement
5 conference statement for in camera review. The statement must contain the following:

- 6 1. A brief statement of the nature of the action.
- 7 2. A concise summary of the evidence that supports your theory of the case and damages
8 claims, including information disclosed pursuant to Local Patent Rules 1-6 through 1-11.
- 9 3. Attach to your statement any documents or exhibits which are relevant to key factual
10 or legal issues, including selected pages from deposition transcripts or responses to other discovery
11 requests.
- 12 4. An analysis of the key issues involved in the litigation. The analysis must include a
13 discussion of the strongest points in your case, both legal and factual, and a frank discussion of the
14 weakest points as well. The Court expects you to present a thorough analysis of the key issues and
15 candid evaluation of the merits of your case.
- 16 5. Identify and explain any obstacles to settlement, e.g., statutory caps or motions
17 pending before the Court.
- 18 6. The history of settlement discussions, if any, which have occurred in this case.
19 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the
20 reasons they have been rejected. Attach a copy of all settlement correspondence, including all
21 written demands or offers and responses thereto.
- 22 7. Provide the initial settlement proposal that will be presented at the settlement
23 conference with a justification for any monetary amount. The proposal must include any non-
24 monetary settlement terms that will be presented.
- 25 8. The parties are encouraged, but not required, to exchange non-confidential portions of
26 the settlement conference statements prior to the scheduled conference. The Court has found the
27 exchange of statements beneficial for purposes of settlement discussion.

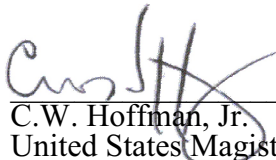
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1 The settlement conference statements must be received in the undersigned Magistrate Judge's
2 chambers—Room 3014—not later than **12:00 p.m. on Thursday, August 4, 2016. DO NOT**
3 **SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL COPIES TO**
4 **THE CLERK'S OFFICE.**

5 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for
6 and conducting the settlement conference. In order to facilitate a meaningful conference, your
7 utmost candor in responding to all of the above-listed questions is required. **The settlement**
8 **conference statement will remain confidential.** If this case does not settle, the settlement
9 conference statement will not be disclosed to the judge who ultimately presides over the trial. Each
10 statement will be securely maintained in my chambers, and will be destroyed following the
11 conference.

12 **FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS**
13 **ORDER WILL SUBJECT THE NON-COMPLIANT PARTY TO SANCTIONS UNDER**
14 **FEDERAL RULE OF CIVIL PROCEDURE 16(f).**

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16 DATED: May 23, 2016.

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19 C.W. Hoffman, Jr.
United States Magistrate Judge